

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 25 2007 ★

JP

MARVIN CARLE,

Petitioner,

-against-

CIVIL JUDGMENT
07-CV-3917 (JG)

VAN D. BUREN, Superintendent;
ATTORNEY GENERAL OF THE STATE
OF NEW YORK,

Respondents.

Pursuant to the order issued on _____ by the undersigned dismissing the
petition for a writ of habeas corpus under 28 U.S.C. § 2254, it is,

ORDERED, ADJUDGED AND DECREED: That the petition is hereby dismissed as time-
barred. 28 U.S.C. § 2244(d)(1). As petitioner has not made a substantial showing of the denial
of a constitutional right, a certificate of appealability shall not issue. 28 U.S.C. § 2253(c). The
Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be
taken in good faith and, therefore, in forma pauperis status is denied for the purpose of any
appeal. Coppedge v. United States, 369 U.S. 438, 444-445 (1962).

s/

JOHN GLEESON
United States District Judge

Dated: Brooklyn, New York
October 24, 2007